S.B.Cr.Misc. Bail App. No.5137/2007

(Smt. Kala Vs. State of Rajasthan)

Date of order : November 20, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Shamboo Singh, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers. I have gone through the statements of the witnesses recorded by the trial court.

It appears that the petitioner is wife of co-accused Tulsi Ram, who alleged to have caused injuries to Smt. Kala. There is no allegation of causing injury against the petitioner to the deceased. However, the petitioner has been charge-sheeted with the aid of section 109 I.P.C. On perusal of the police investigation diary, statements of the witnesses as also the post mortem report, it appears that the injuries have been caused by co-accused Tulsi Ram.

Without commenting on the merit of the case, having regard to the facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think

it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Smt. Kala w/o Tulsi Ram be released on bail in FIR No.159/2007, P.S. Aspur, Distt. Dungarpur provided she furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-